

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:06cv24**

JAMES E. McCALL,)	
)	
Plaintiff,)	
)	
Vs.)	AMENDED¹ ORDER
)	
TOWN OF HIGHLANDS, NORTH)	
CAROLINA; and TOWN OF)	
HIGHLANDS POLICE DEPARTMENT,)	
NORTH CAROLINA,)	
)	
Defendants.)	
)	

THIS MATTER is before the court on plaintiff's Motion for Leave to File First Amended Complaint (#7). Such motion does not contain a statement that counsel for the opposing parties has been consulted and either consents to or opposes such motion. L.Cv.R. 7.1(A).

ORDER

IT IS, THEREFORE, ORDERED that plaintiff's Motion for Leave to File First Amended Complaint is **DENIED** without prejudice in accordance with Local Civil Rule 7.1.

¹ Such motion is supported by a brief, which was combined with the response to defendants' motion to dismiss. So that they are not missed, a memorandum in support of one motion should not be incorporated into a brief responsive to another motion.

Signed: November 14, 2006

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

